

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON J. HOWARD,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 22-CV-3241
	:	
WELLPATH, LLC, et al.	:	
Defendants.	:	

**ORDER**

**AND NOW**, this 24<sup>th</sup> day of February, 2023, it is **ORDERED** that the Defendant Wellpath, LLC's motion to dismiss for failure to state a claim [Doc. 16] is **GRANTED**.

Count One of the Complaint is **DISMISSED** for failure to state a claim against Defendant Wellpath, LLC.

Count One of the Complaint is **DISMISSED** for failure to state a claim against the individual Defendants in their individual capacities.

Count Two of the Complaint is **DISMISSED** for lack of subject matter jurisdiction and without prejudice to Plaintiff pursuing the claim in the appropriate state court.

The Clerk is **DIRECTED** to mark this case as **TERMINATED**.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
JEFFREY L. SCHMEHL, J.